

REMARKS

The Examiner's action of July 28, 2009 is noted in which the claims are variously rejected under 35 USC 112, first paragraph and 35 USC 101 as well as being rejected under 35 USC 102 and 35 USC 103 in view of the Bloch et al. article entitled "The Nuclear Induction Experiment of 1946".

Applicant has amended Claims 1 and 14 to specifically claim energy production.

Applicant strongly disagrees with the Examiner as to the 35 USC 112, first paragraph, and 35 USC 101 objections because the Examiner is not focusing on the clear claim language.

To quote from Claim 1 what is claimed is:

"a method for the production of energy, comprising the steps of:
placing nuclei having protons in a magnetic field of at least 2000 Gauss;
maintaining the nuclei at room temperature; and,
subjecting the nuclei to a low frequency periodic-electromagnetic signal from an antenna adjacent the nuclei for the production of energy.

This claim does not in any way claim a theory as to why the method works. Rather, there is clear evidence in the Specification that experiments shown in the figures were performed and that there were results showing energy production which are clearly shown in Figure 11B and Figure 12B.

Applicant need not know or conjure as to why a certain process works, but only that it works.

If the Applicant were for instance claiming a method of mixing gas and air together to produce a combustible mixture such as in a carburetor, if the Applicant is claiming the method in

which a carburetor works, the Applicant would not need to know the physics or chemistry behind the fact that he gets a combustible mixture.

Likewise in the subject case Applicant may not in fact know why he gets the results that he does, but rather it is clearly disclosed in the specification what Applicant does and what the results were.

It is therefore Applicant's contention that, while the Examiner has gone to great length to indicate the Examiner's grounds for insufficiency of disclosure and non-working of an invention, it is clear that the Examiner is wrong because Applicant did in fact do the experiment and did in fact get the results that he got.

Applicant strongly suggests that the Examiner remove the 35 USC 112 and 101 grounds of rejection.

This leads to the rejection of the claims based on 35 USC 102 and 35 USC 103 based on the Bloch et al. publication.

This publication is entitled "The Nuclear Induction Experiment". As the Examiner quite rightly recognizes nowhere in Bloch et al. is there any indication of the generation of energy. His experiments were used for magnetic field modulation during magnetic resonance registration. Note Bloch et al. use two different radio frequencies to alter the alignment of a proton in a magnetic field. This has nothing to do with energy produced as claimed.

It is therefore Applicant's contention that since the claimed subject matter is nowhere shown or taught in this Bloch et al. publication, the claimed subject matter is both free of Bloch et al. and is not obvious.

It is noted that the claims claim a method for the production of energy and this concept is neither shown, taught nor obvious from the Bloch et al. article.

Moreover, in Claim 11, nowhere is shown or taught the production of a third element.

Also, as to Claim 13, again there is no teaching that energy is produced in the Bloch et al. article.

This being the case it is Applicant's contention that the claims are both statutory, sufficiently well described in the specification and are free of the art cited.

Allowance of the claims and issuance of the case is therefore earnestly solicited.

Respectfully submitted,



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